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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 BENSON ADEYEMI OLUWAROTIMI,

11 Plaintiff,

12 v.

13 ICE FIELD OFFICE DIRECTOR et al.

14 Defendants.

CASE NO. 3:11-cv-05307-RBL-JRC

REPORT AND
RECOMMENDATION

NOTED FOR : SEPTEMBER 2, 2011

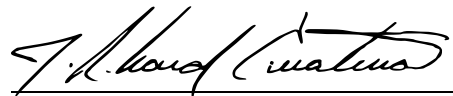
15 This 42 U.S.C. § 1983 civil rights action has been referred to the undersigned Magistrate
16 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1,
17 MJR 3, and MJR 4. Plaintiff has not paid the filing fee and did not file an application to proceed
18 in forma pauperis. Further, this court entered an order requiring him either to pay the fee or file
19 an application. That order has been returned as undeliverable. The court does not have a current
20 address for the plaintiff.

21 The court recommends denial of all pending motions and dismissal of this action for
22 failure to pay the filing fee or file an application to proceed in forma pauperis. Plaintiff appears
23 to have abandoned this litigation.
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1 A district court has wide discretion in deciding whether to grant an inmate the privilege
2 of proceeding in forma pauperis. Here the action cannot proceed as plaintiff has failed to pay the
3 filing fee or move to proceed in forma pauperis.

4 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have
5 fourteen (14) days from service of this Report to file written objections. See also Fed. R. Civ. P.
6 6. Failure to file objections will result in a waiver of de novo review by the District Court Judge.
7 See, 28 U.S.C. 636 (b)(1)(C). Accommodating the time limit imposed by Rule 72(b), the clerk is
8 directed to set the matter for consideration on September 2, 2011, as noted in the caption.

9 Dated this 8th day of August, 2011.

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12 J. Richard Creatura
13 United States Magistrate Judge
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